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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
			EXAMINER MENBERU, BENIYAM	
			ART UNIT 2626	PAPER NUMBER

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/729,426

Applicant(s)

NAGATA, YOSHINORI

Examiner

Beniyam Menberu

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 21 and 23-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 21 and 23-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed July 21, 2005 have been fully considered but they are not persuasive. Takahashi et al disclose using keywords/sentence or title of documents to search documents (column 22, lines 50-60; column 23, lines 31-53). Since keywords/sentence or title of a document is considered a summary information of a document it can be implied that the title is used as a method for outputting documents for display. Further with regards to claim 3, Takahashi et al discloses comparing partial document with existing documents to determine the similarity (column 23, lines 18-30). This is related to comparing summary information with existing documents to determine which document the summary information corresponds to. With regards to claim 8, U.S. Patent No. 6628412 to Jeran et al disclose of outputting documents in response to scanning a document (column 6, lines 1-26).

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 21 is rejected under 35 U.S.C. 101 because the recording medium is not described as a computer-readable recording medium.

Claim Rejections - 35 USC § 103

Art Unit: 2626

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 3, 4, 21, 25, 26, 27, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661933 to Hisatomi et al in view of U.S. Patent No. 6424429 to Takahashi et al.

Regarding claim 1, Hisatomi et al disclose a document management device (Figure 1, reference 103), comprising:

- a memory section for storing a document which has an identification number (Figure 1, reference 105; column 8, lines 17-32);
- an input section for receiving an image including the identification number of the document which has the identification number (Figure 1, reference 102; column 13, lines 55-64);
- a control section comprising an extracting section for extracting the identification number from the image received by the input section (Figure 1, reference 101b; column 21, lines 24-34),
- a document obtaining section which uses the extracted identification number to search for and obtain from among documents in the memory section the document which has the identification number (Figure 1, reference 103), and
- an output section for outputting the document obtained by the document obtaining section (Figure 1, reference 109; column 10, lines 38-50). However Hisatomi et al does

Art Unit: 2626

not disclose an input section for receiving an image including the summary information, a judging section for judging whether the extracted summary information is correct with respect to the document obtained by the document obtaining section, and an output section for outputting the documents when the judging section judges the extracted summary information to be correct.

Takahashi et al disclose an input section (Figure 2, reference 26; column 9, lines 48-53) for receiving an image including the summary information (column 20, lines 49-61), a judging section (Figure 6, reference 41) for judging whether the extracted summary information is correct with respect to the document obtained by the document obtaining section (column 22, lines 1-18), and an output section for outputting the documents when the judging section judges the extracted summary information to be correct (column 22, lines 19-30; column 22, lines 50-60; column 23, lines 31-53; column 23, lines 18-30).

Hisatomi et al and Takahashi et al are combinable because they are in the similar problem area of document processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the summary information for documents taught by Takahashi et al with the document system of Hisatomi et al.

The motivation to combine the reference is clear because Takahashi et al teaches that data retrieval can be made quicker (column 2, lines 20-31).

Regarding claim 2, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 1. Further Takahashi et al disclose the document management device as set forth in claim 1, wherein:

the image received by the input section is transmitted from an external device via a communications network, and the output section transmits the output document to the external device (Figure 1; column 11, lines 28-42).

Regarding claim 3, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 1. Further Takahashi et al disclose document management device as set forth in claim 1, wherein:

the summary information comprises at least a partial image (column 36, lines 56-67), and when an image which coincides with the extracted summary information section exists in the document obtained by the document obtaining section, the judging section judges the extracted summary information to be correct (column 22, lines 1-18).

Regarding claim 4, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 1. Further Hisatomi et al disclose the document management device as set forth in claim 1, wherein, when the document obtaining section fails to obtain the document which has the identification number, the output section provides an output indicative of the absence of the corresponding document in the memory section (Figure 3, reference s132; column 9, lines 56-67; column 10, lines 32-67; column 11, lines 1-10).

Regarding claim 21, Hisatomi et al in view of Takahashi et al disclose a recording medium which stores a document management program which is used in a computer

Art Unit: 2626

system to implement the process performed by the device of claim 1 (Hisatomi et al: column 10, lines 62-65).

Regarding claim 25, Hisatomi et al in view of Takahashi et al disclose a document management device, comprising:

a memory section for storing documents each of which has an identification number (Hisatomi et al : Figure 1, reference 105; column 8, lines 17-32);

an input section for receiving an image including an identification number identifying a requested document (Hisatomi et al : Figure 1, reference 102; column 13, lines 55-64) and summary information of the requested document (Takahashi et al: column 22, lines 1-18; Takahashi et al mentions that related documents can be used to search for relevant documents with similar contents, thus related documents as input to the server 12 can represent summary information of a document in server 12 (column 15, lines 59-64));

an output section (Hisatomi et al: Figure 1, reference 109; column 10, lines 38-50);

a control section comprising an extracting section for extracting the identification number and the summary information of the requested document from the image received by the input section (Hisatomi et al: Figure 1, reference 101b; column 21, lines 24-34; Takahashi et al : column 22, lines 1-12), a document obtaining section which retrieves from the memory section a document whose identification number corresponds to the extracted identification number (Hisatomi et al: Figure 1, reference 103; column 10, lines 39-46), and a judging section (Takahashi et al: Figure 6, reference 41) which uses the extracted summary information to determine whether to

Art Unit: 2626

output the retrieved document via the output section (Takahashi et al: column 22, lines 1-18).

Regarding claim 26, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 25. Further Takahashi et al disclose the document management device as set forth in claim 25, wherein: the summary information comprises an image (Takahashi et al: column 23, lines 3-16).

Regarding claim 27, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 26. Further Takahashi et al disclose the document management device as set forth in claim 26, wherein the image comprises a condensed image of at least part of the requested document (Takahashi et al teaches that document used for comparison can be partially related thus implying that this document has some part of the whole document (column 22, lines 1-18; column 23, lines 18-30).).

Regarding claim 32, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 25. Further Hisatomi et al in view of Takahashi et al disclose the document management device as set forth in claim 25, wherein the image received by the input section comprises an image of a document request form on which the identification number (Figure 27; column 23, lines 45-65; column 24, lines 16-25) and the summary information are printed (column 4, lines 32-41; column 22, lines 50-57; column 23, lines 31-53).

6. Claims 5, 6, 7, 8, 9, 10, 11, 12, 28, 29, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661933 to Hisatomi et al in view of

Art Unit: 2626

U.S. Patent No. 6424429 to Takahashi et al further in view of U.S. Patent No. 6628412 to Jeran et al.

Regarding claim 5, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 1. However Hisatomi et al in view of Takahashi et al does not disclose the document management device as set forth in claim 1, wherein the image received by the input section includes information indicative of a version of the document which has the identification number.

Jeran et al disclose the document management device as set forth in claim 1, wherein the image received by the input section includes information indicative of a version of the document which has the identification number (The system of Jeran et al disclose a method wherein the version number of a document is printed on a document so that the version number can be scanner and used for tracking of the document (column 2, lines 58-66). Thus version number information can be appended to the input image using the teachings of Jeran et al.).

Hisatomi et al, Takahashi et al, and Jeran et al are combinable because they are in the similar problem area of document processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the version information taught by Jeran et al with the document system of Hisatomi et al in view of Takahashi et al to implement version based document retrieval.

The motivation to combine the reference is clear because it would be convenient to retrieve documents by version number if there are many copies of the original document.

Regarding claim 6, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 1. Further Jeran et al disclose the document management device as set forth in claim 1, wherein the memory section stores one or more additional documents each of which has the identification number and a different version (Jeran et al: column 3, lines 34-41; Since Hisatomi et al use identification for documents, the combination of Hisatomi et al in view of Takahashi et al and Jeran et al can generate documents with multiple versions of a document with an identification number.).

Regarding claim 7, Hisatomi et al in view of Takahashi et al further in view of Jeran et al teach all the limitations of claim 6. Further Hisatomi et al in view of Takahashi et al further in view of Jeran et al disclose the document management device as set forth in claim 6, wherein:
the control section judges a presence or absence of a predetermined mark in the image received by the input section (Jeran et al: column 3, lines 30-35), and when the control section judges the presence of the predetermined mark in the image received by the input section, the output section outputs the document having a latest version out of the documents (Jeran et al: column 6, lines 8-21) obtained by the document obtaining section which have the identification number (Hisatomi et al: Figure 1, reference 109; column 10, lines 38-50).

Regarding claim 8, Hisatomi et al in view of Takahashi et al further in view of Jeran et al teach all the limitations of claim 6. Further Hisatomi et al in view of Takahashi et al further in view of Jeran et al disclose the document management device as set forth in claim 6, wherein:

the control section judges a presence or absence of version information in the image received by the input section, and when the control section judges the presence of the version information in the image received by the input section, the output section outputs the document having a version designated by the version information out of the documents (Jeran et al: column 2, lines 61-65; column 3, lines 30-35; column 6, lines 10-17) obtained by the document obtaining section which have the identification number (Hisatomi et al: Figure 1, reference 103; column 10, lines 39-47: Thus Hisatomi et al in view of Takahashi et al further in view of Jeran et al can provide documents using identification number and version information.).

Regarding claim 9, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 1. Hisatomi et al in view of Takahashi et al further in view of Jeran et al disclose the document management device as set forth in claim 1, wherein: the control section further includes an approval section for judging a presence or absence of correct approval information in the image received by the input section, and when the approval section judges the absence of the correct approval information in the image received by the input section, output from the output section is prohibited (Jeran et al disclose a machine-code that is printed on document that can be used for authorization purpose (column 4, lines 66-67, column 5, lines 1-9).).

Regarding claim 10, Hisatomi et al in view of Takahashi et al further in view of Jeran et al teach all the limitations of claim 9. Further Jeran et al disclose the document management device as set forth in claim 9, wherein each document which is stored in the memory section includes the approval information (Jeran et al disclose a processor that can compare authorization information with information present on database (column 5, lines 13-18) which implies that the database has comparable information to the authorization information).

Regarding claim 11, Hisatomi et al in view of Takahashi et al further in view of Jeran et al teach all the limitations of claim 9. Further Jeran et al disclose the document management device as set forth in claim 9, wherein, when the image received by the input section includes predetermined information together with the approval information output from the output section is prohibited (Jeran et al disclose that identification code entered by user will be inputted together with data from machine-code on the scanned document to determine whether user is authorized to generate output on the system (column 5, lines 8-18)).

Regarding claim 12, Hisatomi et al in view of Takahashi et al further in view of Jeran et al teach all the limitations of claim 9. Further The document management device as set forth in claim 9, wherein, when the approval section judges the absence of the correct approval information in the image received by the input section, the output section provides an output indicative of the absence of the correct approval information (Jeran et al disclose that when it detects unauthorized request, it disables copying of documents. Thus the disabling of the copying is an output

indicative to the user that he is not authorized (column 5, lines 1-18). Further Hisatomi et al disclose a method of outputting error indication when error occurs in decoding of document identification (column 11, lines 1-10). Thus in combination an error indication can be implemented if incorrect approval information exists.).

Regarding claim 28, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 25. Further Jeran et al discloses the document management device as set forth in claim 25, wherein the documents stored in the memory section comprise different versions of one or more of the documents, the different versions having the same identification number, but different version information (Jeran et al: column 3, lines 34-41; Since Hisatomi et al use identification for documents, the combination of Hisatomi et al in view of Takahashi et al and Jeran et al can generate documents with multiple versions of a document with an identification number).

Regarding claim 29, Hisatomi et al in view of Takahashi et al further in view of Jeran et al teach all the limitations of claim 28. Further Jeran et al disclose the document management device as set forth in claim 28, wherein:

the control section determines a presence or absence of a predetermined mark in the image received by the input section (Jeran et al: column 3, lines 30-35), and

the judging section uses the presence of the predetermined mark in the image received by the input section to determine to output the latest version of two or more documents retrieved from the memory section which have the extracted identification number (Jeran et al: column 6, lines 14-22).

Regarding claim 30, Hisatomi et al in view of Takahashi et al further in view of Jeran et al teach all the limitations of claim 28. Further Jeran et al disclose the document management device as set forth in claim 28, wherein: the extracting section extracts version information of the requested document from the image received by the input section (Jeran et al: column 2, lines 59-65; column 3, lines 30-35), and the judging section uses the version information to determine to output the corresponding version of two or more documents retrieved from the memory section which have the extracted identification number (column 6, lines 10-17).

Regarding claim 31, Hisatomi et al in view of Takahashi et al teach all the limitations of claim 25. Further Jeran et al disclose the document management device as set forth in claim 25, wherein: the control section further includes an approval section for judging a presence or absence of correct approval information in the image received by the input section (column 4, lines 66-67; column 5, lines 1-9), and when the approval section judges the absence of the correct approval information in the image received by the input section, output from the output section is prohibited (column 5, lines 10-18).

7. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6661933 to Hisatomi et al in view of U.S. Patent No. 6424429 to Takahashi et al further in view of U.S. Patent No. 5293256 to Fukushima et al further in view of U.S. Patent No. 6560704 to Dieterman et al.

Regarding claims 23 and 24, Hisatomi et al disclose a document management system, comprising at least one document management device,

wherein:

the document management device (Figure 1, reference 103) includes: a memory section for storing a document which has an identification number (Figure 1, reference 105; column 8, lines 17-32); an input section for receiving from the communications terminal device (column 12, lines 1-5) an image including the identification number of the document which has the identification number (Figure 1, reference 102; column 13, lines 55-64);

a control section comprising an extracting section for extracting the identification number from the image received by the input section (Figure 1, reference 101b; column 21, lines 24-34), a document obtaining section which uses the extracted identification number to search for and obtain from among documents in the memory section the document which has the identification number (Figure 1, reference 103). However Hisatomi et al does not disclose an input section for receiving an image including the summary information, a judging section for judging whether the extracted summary information is correct with respect to the document obtained by the document obtaining section, an output section for outputting the documents when the judging section judges the extracted summary information to be correct, and the communications terminal device connected to the document management device.

Takahashi et al disclose an input section (Figure 2, reference 26; column 9, lines 48-53) for receiving an image including the summary information (column 20, lines

Art Unit: 2626

49-61), a judging section (Figure 6, reference 41) for judging whether the extracted summary information is correct with respect to the document obtained by the document obtaining section (column 22, lines 1-18), and an output section for outputting the documents when the judging section judges the extracted summary information to be correct (column 22, lines 19-30);

Takahashi et al disclose using keywords/sentence or title of documents to search documents (column 22, lines 50-60; column 23, lines 31-53). Since keywords/sentence or title of a document is considered a summary information of a document it can be implied that the title is used as a method for outputting documents for display. Further Takahashi et al discloses comparing partial document with existing documents to determine the similarity (column 23, lines 18-30). This is related to comparing summary information with existing documents to determine which document the summary information corresponds to.)

Fukushima et al disclose the communications terminal device which includes: an image reader section for reading a document image (Figure 1, reference 20); a control section having line number extractor section for extracting from the document image a plurality of line numbers of document management devices to which the communication terminal device is connectable (Fukushima et al disclose an OCR section that searches for fax numbers on cards (Figure 4, reference 67; column 12, lines 33-40)); and a line number selector section for selecting one of the line numbers from the extracted plurality of line numbers (Fukushima et al provides for selection of a number

Art Unit: 2626

either by manual entry or by automated selector (column 14, lines 63-68; column 15, lines 1-13)); and an image transmitter section for transmitting the document image to the document management device corresponding to the selected line number (The Network Control Unit (NCU) (Figure 4, reference 78) performs the task of sending the image through a fax line (column 10, lines 54-66; column 11, lines 19-23). Further since Hisatomi et al system has facsimile connection the document management device and the communication terminal device can be in connection with each other (Hisatomi et al: column 12, lines 1-5).). However Fukushima et al does not disclose

a) a memory section for storing a communications cost table for communications charges per unit time for the line numbers and;

b) a line number selection wherein, the line number is selected by the line number selector section based on

i) a comparison between the extracted plurality of line numbers and a line number of the communications terminal device or

ii) communications costs determined using the communications cost table.

Dieterman et al disclose a memory section for storing a communications cost table for communications charges per unit time for the line numbers (column 4, lines 19-27) and; a line number selection wherein, the line number is selected by the line number selector section based on a comparison between the extracted plurality of line numbers and a line number of the communications terminal device (column 5, lines 15-27; column 4, lines 22-26) and based on communications costs determined using the communications cost table (column 5, lines 34-44).

Hisatomi et al, Takahashi et al, Fukushima et al, and Dieterman et al are combinable because they are in the similar problem area of document processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the communication device of Fukushima et al and the line number and cost table method of Dieterman et al with the system of Hisatomi et al in view of Takahashi et al to implement cost based communication method for document retrieval.

The motivation to combine the reference is clear because using the system Fukushima et al in view of Dieterman et al would enable remote retrieval of documents in a cost effective manner.

Other Prior Art Cited

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6128102 to Ota disclose filing, registering, and retrieving images files.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beniyam Menberu whose telephone number is (571) 272-7465. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600. The group receptionist number for TC 2600 is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2626

For more information about the PAIR system, see <http://pair-direct.uspto.gov/>.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

Beniyam Menberu

BM

10/17/2005

KAWilliams

KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER